

#3

PATENT
Docket No. 220002056723
Client Ref. 98-128-5

DECLARATION FOR UTILITY PATENT APPLICATION

AS BELOW-NAMED INVENTORS, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: GENE THERAPY FOR CONGESTIVE HEART FAILURE, the specification of which:

☒ was filed on December 26, 2000 as United States Application Serial No. 09/750,240.

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/048,933	June 16, 1997
60/058,209	converted from 08/708,661

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
08/396,207	February 28, 1995	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
08/485,472	June 7, 1995	<input checked="" type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
08/708,661	September 5, 1996	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned <input checked="" type="checkbox"/> Converted
08/924,757	September 5, 1997	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
PCT/US97/15610	September 5, 1997	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/008,097	January 16, 1998	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/021,773	February 11, 1998	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
PCT/US99/02702	February 9, 1999	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/472,667	December 27, 1999	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date _____ Name: H. Kirk Hammond
 Residence: La Jolla, CA
 Citizenship: United States
 Post Office Address: 5770 Waverly Avenue, La Jolla, CA 92037

Date _____ Name: Paul A. Insel
 Residence: San Diego, CA
 Citizenship: United States
 Post Office Address: 3364 Eton Avenue, San Diego, CA 92122


Date _____ Name: Peipei Ping
 Residence: Jeffersonville, IN
 Citizenship: China
 Post Office Address: One River Pointe Plaza, #808, Jeffersonville, IN 47130

Application Serial No.	Filing Date	Status
08/396,207	February 28, 1995	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
08/485,472	June 7, 1995	<input checked="" type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
08/708,661	September 5, 1996	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned <input checked="" type="checkbox"/> Converted
08/924,757	September 5, 1997	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
PCT/US97/15610	September 5, 1997	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/008,097	January 16, 1998	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/021,773	February 11, 1998	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
PCT/US99/02702	February 9, 1999	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/472,667	December 27, 1999	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

09.OCT.01

Date


 Name: H. Kirk Hammond
 Residence: La Jolla, CA
 Citizenship: United States
 Post Office Address: 5770 Waverly Avenue, La Jolla, CA 92037

Date

Name: Paul A. Insel
 Residence: San Diego, CA
 Citizenship: United States
 Post Office Address: 3364 Eton Avenue, San Diego, CA 92122

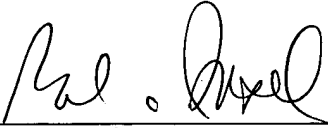
Date

Name: Peipei Ping
 Residence: Jeffersonville, IN
 Citizenship: China
 Post Office Address: One River Pointe Plaza, #808, Jeffersonville, IN 47130

Application Serial No.	Filing Date	Status
08/396,207	February 28, 1995	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
08/485,472	June 7, 1995	<input checked="" type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
08/708,661	September 5, 1996	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned <input checked="" type="checkbox"/> Converted
08/924,757	September 5, 1997	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
PCT/US97/15610	September 5, 1997	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/008,097	January 16, 1998	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/021,773	February 11, 1998	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
PCT/US99/02702	February 9, 1999	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/472,667	December 27, 1999	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date _____ Name: H. Kirk Hammond
Residence: La Jolla, CA
Citizenship: United States
Post Office Address: 5770 Waverly Avenue, La Jolla, CA 92037

10/6/01
Date _____ 
Name: Paul A. Insel
Residence: San Diego, CA
Citizenship: United States
Post Office Address: ~~3364 Eton Avenue~~, San Diego, CA 92122
8660 Kilbourn Dr 92037

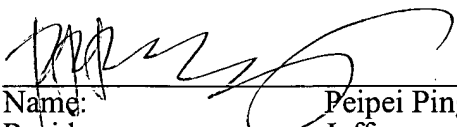
Date _____ Name: Peipei Ping
Residence: Jeffersonville, IN
Citizenship: China
Post Office Address: One River Pointe Plaza, #808, Jeffersonville, IN 47130

Application Serial No.	Filing Date	Status
08/396,207	February 28, 1995	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
08/485,472	June 7, 1995	<input checked="" type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
08/708,661	September 5, 1996	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned <input checked="" type="checkbox"/> Converted
08/924,757	September 5, 1997	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
PCT/US97/15610	September 5, 1997	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/008,097	January 16, 1998	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/021,773	February 11, 1998	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
PCT/US99/02702	February 9, 1999	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/472,667	December 27, 1999	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date _____ Name: H. Kirk Hammond
Residence: La Jolla, CA
Citizenship: United States
Post Office Address: 5770 Waverly Avenue, La Jolla, CA 92037

Date _____ Name: Paul A. Insel
Residence: San Diego, CA
Citizenship: United States
Post Office Address: 3364 Eton Avenue, San Diego, CA 92122

Oct 5th, 2001 
Date _____ Name: Peipei Ping
Residence: Jeffersonville, IN
Citizenship: China
Post Office Address: One River Pointe Plaza, #808, Jeffersonville, IN 47130

Date	Name:	Steven R. Post
	Residence:	San Diego, CA
	Citizenship:	United States
	Post Office Address:	4395 Clayford Street, San Diego, CA 92117

Date	Name:	Meihua Gao
	Residence:	San Diego, CA
	Citizenship:	China
	Post Office Address:	10750 Pacific Canyon Way, San Diego, CA 92121

Date

10/8/01

Steven Post

Name: Steven R. Post
Residence: ~~San Diego, CA~~ Lexington, KY SP
Citizenship: United States
Post Office Address: ~~4395 Clayford Street, San Diego, CA 92117~~
2185 Sallee Drive, Lexington, KY 40513 SP

Date


Name: Meihua Gao
Residence: San Diego, CA
Citizenship: China
Post Office Address: 10750 Pacific Canyon Way, San Diego, CA 92121

Date

Name: Steven R. Post
Residence: San Diego, CA
Citizenship: United States
Post Office Address: 4395 Clayford Street, San Diego, CA 92117

10-8-01

Date


Name: Meihua Gao
Residence: San Diego, CA
Citizenship: ~~China~~ United States M.G.
Post Office Address: 10750 Pacific Canyon Way, San Diego, CA 92121